

which would have permitted POW lawsuits against Japanese companies, those same Japanese companies that had used them as slave labor. But that reference was deleted in the final draft after a demand by other Allied powers was made to that agreement, to that wording to the U.S. delegation.

Now, what does that mean? What is going on here is that we considered actually putting something in the treaty that specifically permitted them. Well, the argument was that we can't constitutionally prevent them from doing it, anyway, so why are we putting this in the treaty that could probably be a cause of concern for the Japanese?

And why were we so concerned about the Japanese in 1951? What was that all about? Well, 1951 was another era. And I am afraid that in 1942 when America had to abandon these heroes on the Bataan Peninsula and leave them to their fate and let them be captured and murdered and tortured and worked like slave labor by the Japanese, when we abandoned them to that fate, we abandoned them a second time. That was because again America's security was in jeopardy. America's security was in jeopardy because during the Cold War we needed Japan on our side. And perhaps that was the motive at that time of our government and of the State Department and of people who were concerned about our country, and perhaps these survivors of the Bataan Death March can understand that.

Because at that time had the world witnessed a Japan going towards communism, it would have shifted the balance of freedom and democracy in the world and the whole Cold War might have ended a different way. It might have caused the loss of millions of American lives if just that balance of power in Japan would have been shifted. So maybe we needed to bend over backwards to prevent the Japanese at that time, and I just say maybe.

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There is no excuse like that today. The Cold War is over. We should not be bending over backwards today. If we do not move forward today to permit these American heroes to at least redress their grievances and to receive some compensation and to find justice, if we do not act now, we are abandoning them for the third time.

They were abandoned in Bataan. They were abandoned after the war. Are we going to abandon them again? Are we going to watch them slip away quietly without knowing how much the American people appreciated what they did for us? How will they know how much we appreciated it if we are turning our backs on this claim, this legitimate claim they have against Japanese corporations who worked them as slave laborers while all around the world other peoples have been able to sue those corporations that violated their human rights during the Second World War and how other people, in fact, have been able to sue Japan and those corporations for what they did to them.

No, the only people left out will be the survivors of the Bataan Death March. This is an insult. It is absurd. It is insane. It does not speak well of our State Department. It does not speak well of us if we let it happen, and we should not and we will not let that happen.

The treaty in 1951 also includes a clause which automatically and unconditionally extends to the allied powers any more favorable terms than that granted by Japan in any other war claims settlement. Japan has entered into war claims settlements with the Soviet Union, with Burma, Spain, Switzerland, Sweden, the Netherlands and others. These same rights that we are talking about, that we are asking for our own people, have already been granted to the people of other countries. Yet, the State Department in our country continues to work against our heroic Bataan Death March survivors' right to seek justice in the courts against the Japanese corporations that worked them during the war, even though other countries and other peoples have received justice and the book has been closed on their cases.

On the public record to date, the State Department simply ignores these people's claims, these brave heroes' claims, or tries to obfuscate the facts. Several weeks ago, Fox News on the Fox News Sunday program, a news program on the weekend, it was probably more like 2 months ago now, Colin Powell, our Secretary of State, promised to review the State Department's erroneous and unyielding stand against the Bataan Death March survivors. He provided a little bit of hope that the survivors may well be able to obtain justice at long last.

I have yet to hear, and that might have been 6 weeks to 2 months ago, I have yet to hear from the Secretary of State. I would hope that the bureaucrats over at the State Department get this message tonight. We expect the Secretary to pay attention to this issue, and we expect that our country and our government to be more concerned with these claims than they have been in the past and that we expect them to be on the side of our people rather than the side of these Japanese corporations.

We have a Japanese prime minister who has visited this country. We have had exchanges with the Japanese government going on. We have a new ambassador that is being appointed to Japan, Howard Baker. This issue should not go away. This issue should be something that our representatives bring up with representatives of the Japanese government, and that we should change the rules of engagement, so to speak, so that our heroes can at last receive justice.

Of the more than 36,000 American soldiers who were captured by the Japanese, only 21,000 made it home. The death rates for American POWs, this is an important statistic, the death rate for American POWs was 30 times great-

er in Japanese prison camps than in German prison camps.

I met recently with a member of the Japanese Embassy staff, and he said that it was unfair of me to compare the Japanese in World War II to the Germans and to the Nazis and that is just not the case. I told him, I said with all due respect, sir, the Japanese militarists of World War II, of which this gentleman's generation he was not part of that generation, committed the same type of atrocities and war crimes as did the Germans, and it is very comparable what the Japanese did to the Chinese people, for example, but also to every prisoner that they captured.

Again, I reminded this young man from the Japanese Embassy that his generation does not bear responsibility for this. He was not even alive. But those Japanese corporations that existed at that time and were involved in that behavior do bear legal responsibility, and that the Japanese people today, our efforts to receive justice for these American POWs, we in no way mean it as a slap in the face against the Japanese people of today. The Japanese people of today have a strong democracy and they have around the world proven themselves to be a force for good, but during the Second World War these were not the same Japanese people. They had different values. They had different values and they were a different people. They were told at that time they had been trained from youth to be militaristic and to brutalize anyone who was weaker than them, especially soldiers who surrendered.

Even though the Japanese companies profited from the slave labor, these companies have never even offered an apology, much less repayment to our POWs. Today, as I say, there are fewer than 5,400 surviving POWs. These survivors are pursuing justice not just for themselves but for their widows and for their families of these POWs who died prematurely because of the conditions that they lived under during the war. The POWs finally have a chance for justice and we should not, we cannot, abandon them again.

The gentleman from California (Mr. HONDA) and myself have introduced a bill. It is the Justice for POWs Act of 2001. It is H.R. 1198, and there are over 100 of my colleagues now who have cosponsored this bill which will grant our POWs from the Bataan Death March the right to sue those Japanese corporations that tortured them and worked them as animals during the war. Our legislation gives them that right to seek legal redress against those companies.

Mr. Speaker, I would at this time be happy to yield to my friend, the gentleman from La Jolla, California (Mr. ISSA), from southern Orange County and northern San Diego County.

Mr. ISSA. Mr. Speaker, I rise and came here with the profound desire to speak just a few moments in support of the very courageous legislation of the gentleman from California (Mr. ROHRBACHER). I, like the gentleman, was